

## GRANTS AND RAILROADS

By Ralph Lea and Lucy Reller

The invention of the steam locomotive changed and revolutionized the way that people and material could be moved quickly over iron rails instead of muddy and impossible roads with uncooperative animals.

Steamboats could still compete on waterways and stages and wagons

moved over rough terrain and short distances.

Many towns were started when the railroad needed depots and Mokelumne, now Lodi, was one of these.

With the foresight of men like Theodore Judah, Engineer, the state of California began planning a conti-

mental railroad from the west coast overland on a central route as early as 1859.

The Civil War eliminated the call for a southern route and on July 1, 1862 Congress passed a bill for a railroad over the central route. Leland Stanford, Governor of California, dug the first shovelful of earth in Sacramento to hasten the building of the proposed railroad.

The Western Pacific Railroad was organized in 1862 to run a road from San Jose through Stockton to Sacramento. Dr. E.S. Holden of Stockton was Vice President. Charles McLaughlin obtained the contract to grade the road from San Jose to Stockton, a distance of 75 miles.

The state authorized San Joaquin County \$250,000 worth of bonds for the Western Pacific Railroad. The people voted for the bonds 1505 to 502 and in May 1864 the first \$50,000 was issued and money given to the railroad. In August 1865, another



▲ May 1876, Wardrobe's Grove, Lodi. The pioneer farmers who settled on the disputed land. Standing (l to r): Ezra Fiske, Jonathan Dodge, C. Yolland, D. Dodge, B.F. Saunders, McKee Carson, Sylvester Tredway and L.V. Shippee. Front (l to r): Ross Sargent, S. Grattan, J.W. White, A. Cove and E. Thorp.



▲ First depot in Lodi and Central Pacific passenger train.



\$50,000 was subscribed but the people of Stockton heard that the Western Pacific Co. was unable to finance the road and turned it over to the contractor, Charles McLaughlin. He also failed to carry out the project and in March, 1864 sold his franchise, equipment and building material to Stanford and Co. (Big Four). On learning the facts, San Joaquin County and Stockton withheld all payment to the Western Pacific Railroad.

In November 1867, Governor Stanford and his brother-in-law Charles Crocker came to Stockton to ask for the right of way through Stockton. The city council, composed

alignment. Isaac C. Smith, the railroad engineer remembered the big flood of 1862 and decided to move the right of way east of the town of Woodbridge which gave Ayers, Magley, Wardrobe and Lawrence a chance to petition the railroad company to locate a station on their land which would result in a new town, Mokelumne.

The new town had 166 acres with 12 acres for a railroad reservation, 6 acres for a 100-foot wide right-of-way through the 42 blocks, eight lots to the block, or 336 total. The 30' by 150' business lots facing the railroad sold for \$50, with corner lots going for as much as \$125. The

Central Pacific, as well as those belonging to Ayres and Magley. I.N. Stretch, carpenter, purchased five lots and started building stores west of the R.R. tracks on Sacramento Street. The small passenger and larger freight depots were built. Buildings moved from Woodbridge were the start of the business section.

A note of interest: At the start of town you could cross the railroad property on an angle and go from Main and Pine Street to Elm and Sacramento Street or any other crossing that did not have a building in the way. Sacramento Street was known as Main Street in the beginning, and was one big mud hole in the winter, staying that way until incorporation and the building of the California Traction Electric Railroad forced the raising of the grade for the street.

On August 11, 1869 the arrival of the first passenger train from Sacramento was to arrive in Stockton at 12:00 o'clock but it was delayed at Mokelumne Station for over an hour when hundreds of excursionists of the 2,500 men, women and children jumped off the train at (Lodi) believing it was Stockton. The general public was ignorant of the size of California's towns. Two days later Stockton's Methodist Sunday School took the railroad to Mokelumne for a picnic.

The excitement of the railroad coming to the west was celebrated with trips to other towns and some visits back home to the east. First class fare to Chicago cost \$130.00, second class fare was \$66.75. The fare from Stockton to San Francisco was \$5.00 and that included the boat ride across the Bay from Oakland.

With the good came the many railroad schemes going on in the state.

## Land Grants

Land grants were given free to native born or naturalized citizens. El Campo de Los Francess, Webers Mexican grant covered about 48,747 acres. It was approved June 15, 1846 and confirmed in May 1855 and



▲ Sacramento Street north of Pine Street in 1876. Ivory Store and Hill Watch Repair, first and second buildings.

PHOTO COURTESY OF BANK OF STOCKTON

of 10 men, could not agree on which north-south street to name for a depot and road way. Interesting enough, one of the 10 council members was Charles Oscar Ivory, who later moved to Woodbridge and then became Mokelumne's first merchant.

After much delay it was finally voted a right of way on El Dorado Street but the Central Pacific Railroad did not wait for their reply. They were already grading along the country road, now Sacramento Street just east of the Stockton City limit.

This wasn't the only change of

majority were residential lots, 80' by 170', and sold for as little as \$25.

Ayres and Magley owned the land west of Stockton Street and Wardrobe east to Cherokee, now named Washington. Reuben's title to land was still under a cloud and could not sell his land until later.

The Central Pacific Railroad had title to all the odd numbered lots in Mokelumne in the deal for a depot. John M. Burt, who was a partner of Charles O. Ivory in the town's first store, became agent for the railroad and began selling the lots of the



patent was granted to Capt. Weber in February 1861 and was signed by President Lincoln a month later. The grant extended two miles north of Stockton, northeast six miles, south four miles and to the west one mile.

The Los Moquelemos Rancho Grant was bounded on the north by the Mokelumne River, on the east by a ridge of the mountains, the south was bounded by the Charles Weber grant and on the west by the tule lands. It contained eleven leagues and was granted to Andreas Pico in 1846 by his brother, Mexican Governor Pio Pico. His claim was not approved by the land commissioners but the U.S. Supreme Court remanded the case for further evidence. In the meantime farmers began settling on this land in good faith, believing it was government land. Andreas Pico however continued to lay claim to the land and was selling title to his land to settlers and acres were sold over the farmers' heads.

It was a very complicated and tangled problem for some twenty years and still further complicated in 1862 by the United States Congress granting all the odd number sections of land ten miles on both sides of new railroads if not sold, reserved or otherwise disposed of by the United States. This was the inexpensive land that the railroad acquired and later sold to obtain money and power.

On February 13, 1865 the United States Supreme Court disallowed the Andreas Pico grant, which covered property between the Mokelumne and Calaveras Rivers because it had not been signed by the Mexican Senate.

This opened the door for the railroad, then Western Pacific and soon to be the Central Pacific to claim every other section of land in the former land grant. The railroad filed suit immediately on the odd numbered sections of land, thus depriving the settlers of half of their land.

The farmers weren't about to give up their land without a fight. Ben F. Langford, pioneer farmer and legislator, made many trips to Washington,



▲ 1876 picnic on railroad station platform, looking east. Friends and relatives of Please Family: W.B. Mundy at left; Zaidée (Lewis) Runyon, 3rd person from left, sitting; Mary (Lewis) Hill, third lady standing from left.

D.C. to represent the settlers, at his own expense, to do battle against the railroad. Ross C. Sargent appealed to the Secretary of the Interior, who declared that the railroad had no right to the land. Central Pacific was able to have Secretary Delano reverse his decisions. Historian George Tinkham called this "the power of money used liberally." The railroad men then succeeded in having many people pay for a Quit-Claim deed for lands they never owned. A representative of the Central Pacific Railroad prepared a friendly case with relatives of Charles McLaughlin in hopes of getting a final decision in a quiet and secret manner.

Judge Robinson made the discovery of the manner of the proceeding and notified the settlers, who agreed to defend the Newhall case. McLaughlin's nephew suddenly found that he had more advocates than he desired. Joseph H. Budd was the farmers' attorney.

On May 8, 1876 the United States Supreme Court decided in the favor of the settlers. They stated that the disputed sections of land were not public land, either at the date of the Moquelemos Grant in 1852 or when found fraudulent in 1865, it follows that this land did not pass on to the railroad.

One settler, William B. White, paid for his 640 acre section four times before receiving a clear title. The first time White paid for the land with a pair of oxen and seven beehives. Next he paid money to the Mexican grant people and later to the Central Pacific Railroad. His final payment after the 1876 decision was to the United States Government at the rate of \$1.25 per acre.

## Lodi

The other victorious farmers, Ross Sargent, Ezra Fiske, Johnathan Dodge, Sylvester Tredway, John Grattan and L.V. Shippe planned to hold a grand jubilee in Lodi on May 19, 1876. The site selected for the celebration was called Wardrobes Grove, owned by Reuben L. Wardrobe, one of Lodi's founders and land owner who owned most of the land east of the railroad tracks.

On the big day, all businesses were closed for the day in Stockton and Lodi, including the saloons. An excursion train of 22 railroad cars, the Stockton Guard and Firemen all arrived in full uniform. The Knights of Pythias, San Joaquin Band and over 2,000 citizens from Stockton arrived for the celebration.

Honorable H.S. Sargent acted as President of the day, a secretary and









#### May 19, 1876, Wardrobe Grove (later Hale Park)

1. The open dance floor had bleachers for the band and the flag was proudly displayed.
2. The shaded ice cream stand and resting bench, used by men only!
3. A merchant displaying his bicycles at the May 1876 celebration at Wardrobe Grove, Lodi.
4. The Stockton Guard did not come to Lodi without their canon. After firing they cleaned the gun.
5. The whole family came to the celebration at the Grove. The scrub oaks provided some shade.
6. With all those people in attendance, why not rope off any area for free enterprise. The men all carried knives.
7. The grand celebration called for a large barbecue. First they dug a trench and filled it with oak wood.
8. The fatted calves, lambs and porkers were cooked to perfection.
9. The sign says, "The Settlers True Friend, whoever it was, he or they are being toasted with cups of something.
10. Lodi Freight Depot. The large platform was used for the loading of passengers back to Stockton at the end of the day.





▲ The same year that the farmers prevailed over the railroad, they built this flour mill on North Main Street.

ten vice presidents were chosen for the day. Judge Joseph H. Budd, father of Governor James Budd was orator. He delivered a brief but stirring speech. "The booming of cannon, the waving of flags, the glad sound of music and the immense concourse of people express more forcibly than I can, the feeling of justice of the cause which we are here to celebrate."

The farmers had been preparing for days, a trench over a hundred feet long had been dug in Wardrobe's Grove and beef, hogs and sheep were roasted over an oak wood fire.

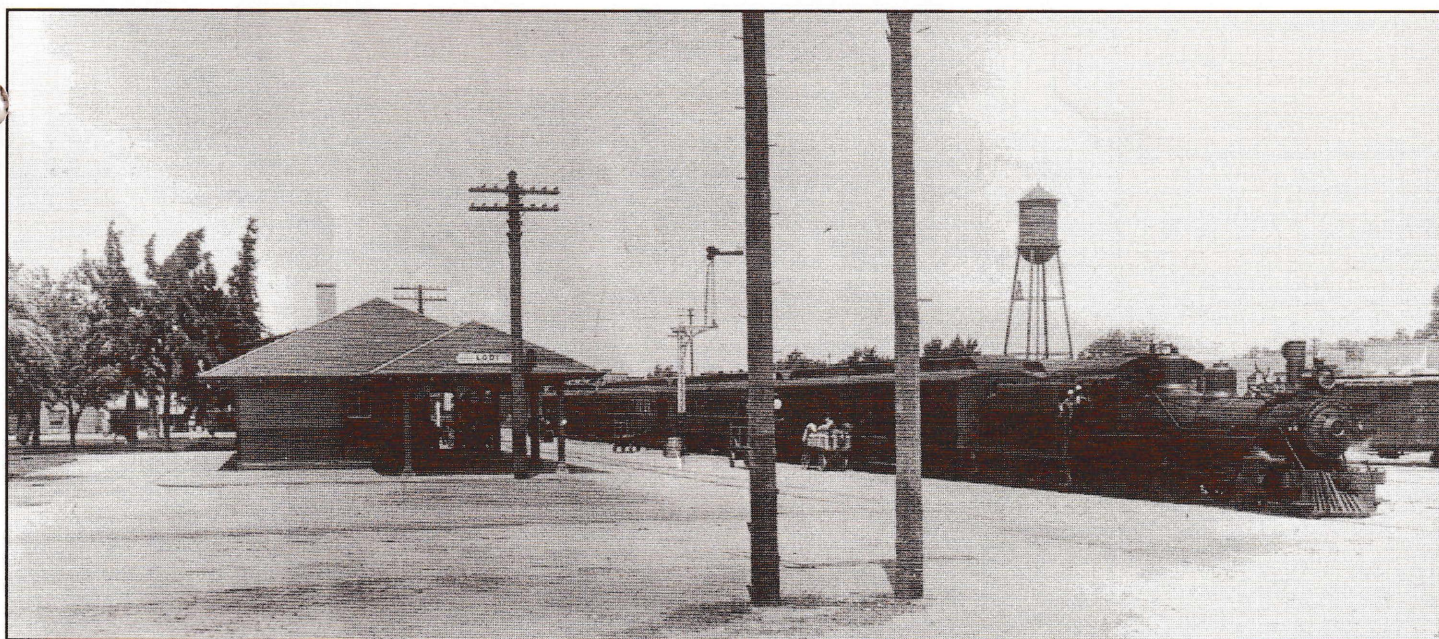
At the conclusion of the public exercise a grand barbecue picnic was held. Music, dancing and plays were the order of the day and even at night. Those people in Stockton unable to come to Lodi had their own celebration with public gatherings and demonstrations.

In Lodi over 10,000 people attended, the largest crowd to gather



▲ Looking east from Lodi Hotel on Sacramento Street. Lodi passenger depot on right. Mail and passenger cars loading and debarking. Past the train stands the Earl Fruit Co. and the Oppenheim Fruit Co. sheds, circa 1903





*The second Lodi passenger depot with engine partly blocking Pine Street, circa 1911. ▲*

in San Joaquin County up to this date. The crowd was so large that a baseball game between the Yosemite Club of Stockton and a Woodbridge team was called after two innings. Woodbridge was ahead in the score, but because the onlookers did not give the players room to move about they could not continue the game. The many races planned for the day

had to be canceled due to the lack of room.

At dark, the Stockton train went home and a Grand Ball took place at the Spencer House on Sacramento Street.

The farmers who were directly affected by the court decision did not return to their farms for two more

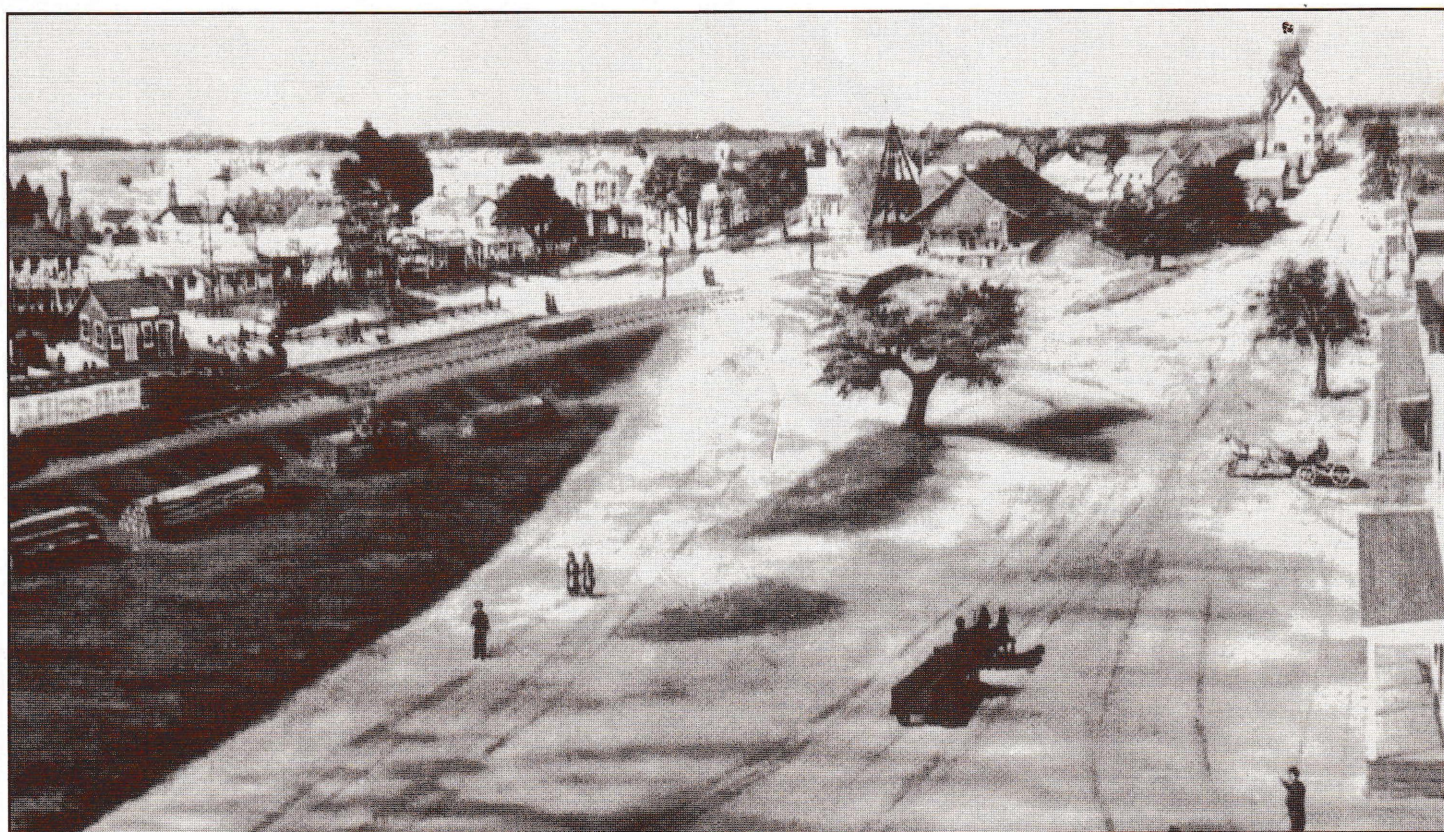
days, sending their wives home each morning to care for the livestock and then they too returned to take part in this historic celebration.

The United States Government in offering the odd sections on both sides of the railroad to the builders also was willing to present the odd sections from 10-15 miles on each side if the first ten miles were occu-



▲ *The narrow gauge San Joaquin and Sierra Nevada train on Lockeford Street, just west of Sacramento Street.*





▲ Three years after celebrating victory the town of Lodi was painted showing the results of ten years of growth.

## REFERENCE

Geo. Tinkham  
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pied. The railroad sought these lands after losing the May 18, 1876 decision. This continued until 1885. San Joaquin County Sheriff Tom Cunningham was able to keep a peaceful solution to the matter. The Sheriff had the respect of all concerned and was able to avoid violence between farmers and the enforcers from the Southern Pacific Railroad.

The great events of joining towns and states with rail transportation of the early 1870's turned to using the words "railroad" and "monopoly" virtually synonymous with the names of the "Big Four" – Leland Stanford, Charles Crocker, Mark Hopkins and Collis P. Huntington and their Southern Pacific system in the 1880's.

The railroad had assured the prosperity of California but it turned into a faceless evil that threatened the country's virtue and freedom, or at least that was what farmers and business owners were thinking.

Of the 700 million acres of U.S.

Government land that was available, for a 160-acre homestead in the 1880's the railroad had obtained almost 25% for themselves.

Lodi, like most areas, did benefit from the railroad by producing first grain and then watermelons to ship to markets.

The largest help came from the refrigerated train cars invented by 1875 and available to Lodi fruit growers when they planted fruit trees, apricots, plums and then grapevines. The railroads that passed through and near Lodi were a great aid, although unpopular because of a lack of real choice until trucks became available.

In 1882 Lodi area farmers were provided a second choice for shipping products by rail and ships with the narrow gauge San Joaquin and Sierra Nevada Railroad. In less than five years the line was in financial trouble and by 1897 the railroad was sold to the hated "Big Four."